

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chaim SPRINGER et al.  
Title: DIAGNOSTIC MICROSPHERES  
Appl. No.: Unassigned  
Filing Date: January 24, 2005  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application, PCT/IL2003/000552. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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By

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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>		
				Application Number		Unassigned <b>10/522200</b>
				Filing Date		January 24, 2005
				First Named Inventor		Chaim SPRINGER
				Group Art Unit		Unassigned
				Examiner Name		Unassigned
Attorney Docket Number				030231-0156		

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### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	2001/010824	A1	HANDJANI et al.	08-02-2001	
	A2	5,665,383	A	SOON-SHIONG et al.	09-09-1997	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A3	EP	0 804 932	A	IMARX PHARMACEUTICAL CORP.	11-05-1997		
	A4	WO	98/07410	A	MAGDASSI SHLOMO	02-26-1998		

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A5	AVITAL et al., "Charcoal is a sensitive, specific, and stable marker for the diagnosis of aspiration in hamsters," <u>Pediatric Research</u> , March 2002, pp. 397-401, Vol. 51, No. 3	
	A6	AVITAL et al., "Polystyrene microspheres as a specific marker for the diagnosis of aspiration in hamsters," <u>American Journal of Respiratory Cell and Molecular Biology</u> , October 2002, pp. 511-514, Vol. 27, No. 4	
	A7	CORWIN et al., "The Lipid-Laden Alveolar Macrophage as a Marker of Aspiration in Parenchymal Lung Disease," DATABASE BIOSIS 'Online! BIOSCIENCES INFORMATION SERVICE, Philadelphia, PA, US; 1985, Database accession no. PREV198681008845 XP002263605 & <u>American Review of Respiratory Disease</u> , 1985, pp. 576-581, Vol. 132, No. 3	
	A8	DERKSEN et al., "Value of Radiology in the Diagnosis of Reflux Esophagitis," <u>Diagnostic Imaging in Clinical Medicine</u> , 1985, pp. 257-262, Vol. 54, No. 5	

Examiner Signature	Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO

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STATEMENT BY APPLICANT**

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<b>First Named Inventor</b>	Chaim SPRINGER
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<b>Examiner Name</b>	Unassigned
<b>Attorney Docket Number</b>	030231-0156

Sheet	2	of	2
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[illegible]Date  
Considered

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